

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled HEART VALVE PROSTHESIS AND SUTURELESS IMPLANTATION OF A HEART VALVE PROSTHESIS the specification of which:

☒ [X] is attached hereto

☐ [] was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulation, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

(Application No.)

(Country)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this continuation-in-part) application:

09/659,882
(Application Serial No.)

September 12, 2000
(Filing Date)

PENDING
(Status-patented, pending, abandoned)

FOOTNOTES

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Gary J. Pitzer - Reg. No. 39,334
Himanshu S. Amin - Reg. No. 40,894
Gregory Turocy - Reg. No. 36,952
Christopher P. Harris - Reg. No. 43,660

Send Correspondence To:

Gary J. Pitzer
Amin & Turocy, LLP
1900 E. 9th Street
24th Floor, National City Center
Cleveland, Ohio 44114

Direct Telephone Calls To:

Gary J. Pitzer
Telephone: (216) 696-8730
Facsimile: (216) 696-8731

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full name of first inventor: Shlomo Gabbay

Inventor's Signature:  Date: Oct. 5. 2001

Citizenship: U.S./Israel

Residence: #1 Randall Drive

Short Hills, New Jersey 07078

Post Office Address: #1 Randall Drive

Short Hills, New Jersey 07078

006007" 6092650